

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

OLGA CABALLERO; JIE DU, by her next friend  
MICHAEL TONG; ALEJANDRA NEGRON,  
MARIANO VAZQUEZ, by his next friend IRAIDA  
VASQUEZ; and JUAN SANTOS, by his next friend  
RITA BAEZ, individually and on behalf of all others  
similarly situated,

Plaintiffs,

- against -

SENIOR HEALTH PARTNERS, INC.;  
HEALTHFIRST, INC.; HF MANAGEMENT  
SERVICES, LLC; HEALTHFIRST HEALTH PLAN,  
INC.; XYZ CORPORATIONS 1-10; and HOWARD  
ZUCKER, as Commissioner of the New York State  
Department of Health,

Defendants.

**16-cv-00326 (CBA) (CLP)**

**NOTICE OF PLAINTIFFS' UNOPPOSED MOTION FOR CLASS CERTIFICATION IN  
CONNECTION WITH SETTLEMENT,  
APPOINTMENT OF CLASS REPRESENTATIVES AND CLASS COUNSEL,  
PRELIMINARY APPROVAL OF THE PARTIES' SETTLEMENT STIPULATION, AND  
APPROVAL OF NOTICE TO CLASS MEMBERS**

PLEASE TAKE NOTICE that<sup>1</sup>, upon the Declarations of Jane Greengold Stevens  
and Belkys Garcia, dated April 19, 2018, the exhibits thereto, the accompanying memoranda of  
law, and all papers herein, Plaintiffs Olga Caballero; Michael Tong on behalf of Jie Du;  
Alejandra Negron; Iraida Vasquez on behalf of Mariano Vazquez; Patricia Trujillo; and Betty


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<sup>1</sup> This Notice of Motion is filed in conjunction with *Bucceri v. Zucker, et al.*, 16 Civ. 8274 (S.D.N.Y. VSB), which is also a party to this settlement. The parties in *Bucceri* have filed a consent motion for transfer to the E.D.N.Y. and will seek consolidation with the parties in this matter. Should the cases not be consolidated, the parties will file these settlement materials in the transferred case.

Francisco on behalf of Lourdes Lo (collectively, “Named Plaintiffs”), hereby move this Court, pursuant to Rules 23(a), 23(b)(2), 23(e) and 23(g) of the Federal Rules of Civil Procedure for an Order:

1. Certifying the action as a class action on behalf of members of the class pursuant to Rules 23(a) and 23(b)(2) of the Federal Rules of Civil Procedure solely for the purposes of the settlement set forth in the Parties’ Settlement Stipulation and for no other purpose;
2. Appointing the proposed Class Representatives as representatives of the Class;
3. Appointing New York Legal Assistance Group, The Legal Aid Society, Winston & Strawn LLP, and Paul, Weiss, Rifkind, Wharton & Garrison LLP as counsel for the Class pursuant to Rule 23(g) of the Federal Rules of Civil Procedure;
4. Preliminarily approving the settlement set forth in the Parties’ Settlement Stipulation as fair, reasonable, adequate, and in the best interests of the Named Plaintiffs and members of the Class, subject to further consideration at a Fairness Hearing;
5. Approving the proposed Class Notice pursuant to Rule 23(e) of the Federal Rules of Civil Procedure; and
6. Scheduling a Fairness Hearing at a date to be set by the Court.

DATED: 4-20, 2018



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